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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Attorney Docket No.: 21415-0013

Confirmation No.: 4029

Applicant(s) James Langham DALE *et al.*

Appl. No.: 10/521,571

Art Unit: 1645

Filing Date: January 18, 2005

Examiner: Unassigned

Title: TRANSCRIPTIONAL CONTROL ELEMENT , CHIMERIC CONSTRUCTS
AND USES THEREFOR

**INFORMATION DISCLOSURE STATEMENT
UNDER 37 CFR §1.56 and 37 CFR §1.97**

United States Patent and Trademark Office
Customer Service Window, Mail Stop RCE
Randolph Building
401 Dulany Street
Alexandria, VA 22314

Sir:

Submitted herewith on Form PTO/SB/08A is a listing of documents known to applicants in order to comply with applicants' duty of disclosure pursuant to 37 C.F.R. §1.56 and §1.97. A copy of each of the listed documents are being submitted to comply with the provisions of 37 C.F.R. §1.97-1.99.

The submission of any document herewith, which is not a statutory bar, is not intended as an admission that such document constitutes prior art against the claims of the present application or is considered to be material to patentability as defined in 37 C.F.R. §1.56(b). Applicants do not waive any rights to take any action which would be appropriate to antedate or otherwise remove as a competent reference any document which is determined to be a *prima facie* prior art reference against the claims of the present application.

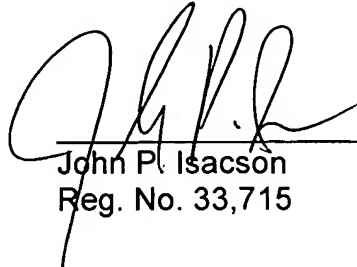
Applicants believe that the instant Information Disclosure Statement is being filed before the mailing of a first Office Action on the merits under 37 CFR §1.97(b)(3), therefore, no fee is required in connection with its filing.

Applicants respectfully request that the listed documents be considered by the Examiner and be made of record in the present application and that an initialed copy of Form PTO/SB/08A be returned in accordance with M.P.E.P. §609.

Respectfully submitted,

December 28, 2005

Date



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